G R S 59] GPB—15 000—20 12 13

GENERAL AND REVENUE SECRETARIAT.

1913-14
(municipal)

File No. 70-13 Preserve

Serial Nos. 21-22.

Papers Filed.

Month March 1914

SUBJECT

Re an appeal against the decision of the Sub Judge Bangalore, awarding compensation to Munisamma & others of Lekhavarajpet + Basavangudi Extensions on their lands acquired

PREVIOUS REFERENCES

nil 35 Fasli 9(1-6)

LATER REFERENCES

G R.S. 11] 191 3.

GENERAL AND REVENUE SECRETARIAT.

(Jud)

NOTES.

File No 70

FILE HEADING.

Suits filed by or against the Municipalities in the State

From

The Senior Vice-President Bangalore City and Cantonment

No. 258 Dated 20. 2. 14 Received 25. 2. 14

Diary No. 497	Enclos	Spare Copies.	Serial No. 21

BRIEF ABSTRACT OF LETTER.

Requests sanction to prefer an appeal against the decision of the Sub Judge awarding a compensation of Rs 5-6-12-0-0 as against Rs. 3397-12-0 awarded by the Land Acquisition Officer to Venkatamma & others for land acquired for the improvement of the Channapet & Basavangudi Extensions.

NOTES AND ORDERS.

2. The Govt Advocate who was consulted by the President is of opinion that an appeal may be preferred

3. The President does not give any opinion in the

NOTES—First Sheet.

GPB—35,000—15 6 13

Serial No.

matter but has simply forwarded the Senior Vice-President's letter. In this connection it may again be pointed out that the Senior Vice-President is not authorised to correspond direct with Govt.

4. According to sec 54 of the Land Acquisition Regulation appeals in cases of this kind lie to the Chief Court & so there is time for preferring an appeal till about the 28th of April next.

5 Subs for orders

TS 61

26. 2 46 When was this acqn ordered & who is to pay the Compensation? If it is the Bangalore City Municipal Council, they must first decide whether they are prepared to follow the Govt-Advocate's advice & file a suit, & then apply for sanction. From the Govt-Advocate's Reasons, considered along with pages 33 & 39 of the Judgment, it would appear that this may easily turn out to be a case of throwing good money after bad. Submit with the connecting papers.

Ans 27/2

RS 27/2

7 The land in question was ordered to be acquired in August 1908 for the

N. No. 992 LR 44-08)-6

NOTE—Contn. sheet.

V

R. 13.8.08

Serial No.

expansion & improvement of the Chamarajpet & Basavangudi extensions in lieu of another site. This was given for the purposes of the Chalakam Fee of cost, the compensation being met from the margin funds. The charge of Rs 33397-(1) and was debited to the State Grant of 1910-11.

G.O.No. 9223-8 dt 35-8-08 - 6 4 4 10 / 4-10-5-9 / 28.6.12 Letter No 2, in Notaccelle

8 As the cost of acquisition has been met from the State funds, the present reference may be transferred to the margin Branch for further action.

9. Submitted for orders

TS 61 / 287 y/4 Br

Br VII

Submitted-

Arm 2/3

RM 5-30 pm 4/3/14 + S

10. The acquisition of the land along with two others for the improvement and expansion of the Chamarajendrapete and Basavangudi extension was sanctioned in G.O. No. 1283-7 Mud-58-08-5 dt 4.8.08.

11 It has already been discussed at length that the Municipal Department has no funds to meet such charges. But, as a special case the cost of the land was ordered to be met from Municipal funds

notes on Pages 3-7 in Mf 64-10

Ue

NOTE—Contn sheet

GPB—60,000—7 11 13

G. R. S. 12]

General and Revenue Secretariat

Mun R 4794 4)

~~Alak~~ File No. 70 of 1913.

Serial No.

12 Any further action in the matter has therefore to be taken in Branch IV.

PWR(65) amn
5/3 5/3/14

13. Paper. The land was acquired for the extension of Bangalore and its ultimate disposal has nothing to do with the question of the acquisition itself. The adjustment of the cost is a minor matter. The question therefore appears to concern only Br. IV

Ra
6.3.14

14) The point for decision in this case is about the preferring of an appeal As the Govt Advocate has already given his opinion, Br III may be consulted in the matter, if considered necessary

I do not think it is necessary Hm

15) Submit for orders as to whether PWR 61 6.3.14 an appeal may be authorised to be preferred Kindly advert to pages 33 to 39 of the Judgment from which it appears that the Sub Judge's ~~Judgment~~ of the trial is not so wholly unsupported by reasons as to warrant the certain expectation of a favourable decision in the Appellate Court

Hm
7/3

Sec H)

NOTE—Contn. sheet

GPB—60,000—7 11 13

4794 5

G. R. S. 12]

General and Revenue Secretariat | Jud File No. 70 of 1913.

Serial No.

16. On the grounds given by the Govt advocate I think an appeal should be preferred Please put up a draft for amendment

Hrs 8/3/14 Asst 11/3

17. Draft order is submitted

AHK 70

11. 3 1914

Secy

Asst 11/3

18) Approved

Hrs 12/3

19) Issue

Asst 12/3

22 20) To the Resident Govt Advocate & Comptroller } No 8482-4 &

12. 3. 14 Sanctions the preferring of the appeal

Hrs 23/3

NOTE—Contn sheet

G P R—60,000—7 11 13

BANGALORE CITY.

20th February 1914.

No. 258

Enc 2

Rev 70-19/A21

4754.

From

The Senior Vice President,
and Land Acquisition Officer,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

Through,

The Honorary President,
City Municipal Council,
Bangalore.

Sir,

I have the honor to state that in O.S. No.35 of 1910-11 (Muniamma and others vs. Vice President and Land Acquisiton officer, Bangalore City) on the file of the Subordinate Judge, Bangalore, relating to Re Survey No. 8 (old Survey No. 136) of the Doddabylakhana Village, Bangalore Taluk, acquired for the expansion and improvement of the Chamarajapet and Basavangudi Extensions, the Subordinate Judge has, on 22nd December 1913, awarded a compensation of Rs 5612-0-0 as against Rs 3397-12-0 awarded by the Land Acquisition Officer. The Government Advocate who was consulted in the matter of preferring an appeal, has stated that an appeal may be preferred against the award of the Subordinate Judge.

2. I therefore request that early sanction of Government may kindly be accorded to prefer an appeal in the case.

3. A copy of the award of the Subordinate Judge together with a copy

2

a copy of letter No. 220 dated today of the Government Advocate containing his opinion are herewith submitted for perusal.

4. The said copy of the award of the Sub Judge may kindly be sent to the Government Advocate, direct, to enable him to take immediate action, in case the appeal is sanctioned.

I have the honor to be

Sir,

Your most obedient servant,

Senior Vice President,
and
Land Acquisition Officer.

Forwarded.

Hon'ble PRESIDENT, MUNICIPAL COUNCIL,
BANGALORE CITY.

G R S 23]

12/3

Sanctions the preferring of an appeal in O.S. 1035 of 1910-11 on the file of the Subordinate, Bangalore

File No 70/13

Serial No. 22

Diary No of letter replied to 4794

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

(Mucf)

Suo Judgment passed

, the 191

READ—

Letter No 258 from the Senior Vice-President and Land Acquisition Officer, Bangalore City, requesting sanction to

Date of issue 12 2 14

Signed by Mra. r Ramanathan

ORDER THEREON—No prefer an appeal to the Chief Court against the decree of the Subordinate Judge of Bangalore awarding a compensation of Rs 5612/- as against Rs 3397-12-0 awarded

over by

SUBJECT.

VS JM

5

by the Land Acquisition Officer
in O.S No 35 of 1910-11 (Munnyamma
and 3 others Vs the Vice President
and Land Acquisition Officer,
Bangalore City) relating to
Re Survey No 8 (Old Survey No 136)
of the Doddy Lakkana Village, Bangalore
Taluk, acquired for the Expansion
and improvement of the Chamarajpet and Basavangudi Extensions
~~and stating the grounds of appeal~~

Order thereon. No 848214 — 8 12-3-14
mil 70-13-
Sanctioned

MK 70 / 11 3 1914 — Secretary — 12/3/14

To

The President of the Bangalore
City Mil Cl with the intimation that all communications
to Govt should be in letter form
and duly docketed. Vide G O.
No 4390-429 & 18 1 1912 Appl memo page 102 of the Rev Manual
No 1108 47 Cus & 16 4 1912 — 20,000 — 2-10-11

The Govt Advocate with copies of
Judgment & decree
for Comptroller.

3